

# TEXAS SESSION LAWS 2017

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## GENERAL AND SPECIAL Eighty-Fifth Legislature, Regular Session

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### POWERS AND DUTIES OF THE WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 21; PROVIDING AUTHORITY TO ISSUE BONDS; PROVIDING AUTHORITY TO IMPOSE FEES AND TAXES

#### CHAPTER 606

H.B. No. 2220

#### AN ACT

relating to the powers and duties of the West Harris County Municipal Utility District No. 21; providing authority to issue bonds; providing authority to impose fees and taxes.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7976 to read as follows:

#### CHAPTER 7976. WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 21

##### SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7976.001. **DEFINITION.** *In this chapter, "district" means the West Harris County Municipal Utility District No. 21.*

Sec. 7976.002. **NATURE AND PURPOSES OF DISTRICT.** (a) *The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.*

(b) *The district is created to accomplish the purposes of:*

(1) *a municipal utility district as provided by general law and Section 59, Article XVI, Texas Constitution; and*

(2) *Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation, or maintenance of macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.*

##### SUBCHAPTER B. POWERS AND DUTIES

Sec. 7976.051. **GENERAL POWERS AND DUTIES.** *The district has the powers and duties necessary to accomplish the purposes for which the district is created.*

*Sec. 7976.052. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.*

*Sec. 7976.053. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.*

*Sec. 7976.054. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.*

*(b) If a road project is not located in the corporate limits or extraterritorial jurisdiction of a municipality, the road project must meet all applicable construction standards, subdivision requirements, and regulations of each county in which the road project is located.*

*(c) If the state will maintain and operate the road, the Texas Transportation Commission must approve the plans and specifications of the road project.*

#### SUBCHAPTER C. BONDS AND OTHER OBLIGATIONS

*Sec. 7976.101. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS FOR ROAD PROJECTS. (a) The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for a road project authorized by Section 7976.053.*

*(b) The district may not issue bonds payable from ad valorem taxes to finance a road project unless the issuance is approved by a vote of a two-thirds majority of the district voters voting at an election held for that purpose.*

*(c) At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.*

*Sec. 7976.102. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board of directors of the district shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.*

**SECTION 2.** The West Harris County Municipal Utility District No. 21 retains all rights, powers, privileges, authority, duties, and functions that it had before the effective date of this Act.

**SECTION 3.** (a) The legislature validates and confirms all governmental acts and proceedings of the West Harris County Municipal Utility District No. 21 that were taken before the effective date of this Act.

(b) This section does not apply to any matter that on the effective date of this Act:

- (1) is involved in litigation if the litigation ultimately results in the matter being held invalid by a final court judgment; or
- (2) has been held invalid by a final court judgment.

**SECTION 4.** (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

Passed by the House on April 27, 2017: Yeas 142, Nays 2, 3 present, not voting; passed by the Senate on May 22, 2017: Yeas 29, Nays 1.

Filed without signature June 12, 2017.

Effective June 12, 2017.

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**CREATION OF THE WINDSOR HILLS MUNICIPAL  
MANAGEMENT DISTRICT NO. 1; PROVIDING AUTHORITY  
TO ISSUE BONDS; PROVIDING AUTHORITY TO IMPOSE  
ASSESSMENTS**

**CHAPTER 607**

H.B. No. 3136

**AN ACT**

**relating to the creation of the Windsor Hills Municipal Management District No. 1;  
providing authority to issue bonds; providing authority to impose assessments.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3946 to read as follows:

**CHAPTER 3946. WINDSOR HILLS MUNICIPAL MANAGEMENT DISTRICT NO. 1**

**SUBCHAPTER A. GENERAL PROVISIONS**

**Sec. 3946.001. DEFINITIONS.** *In this chapter:*

- (1) *"Board" means the district's board of directors.*
- (2) *"City" means the City of Midlothian, Texas.*
- (3) *"Commission" means the Texas Commission on Environmental Quality.*
- (4) *"Development agreement" means a development agreement between the city and One Windsor Hills, L.P., that establishes the standards that apply to development in the district and includes zoning provisions for the district that allow a maximum of 545 residential units.*
- (5) *"Director" means a board member.*
- (6) *"District" means the Windsor Hills Municipal Management District No. 1.*
- (7) *"Finance plan" means a finance plan between the city and the district that includes a general description of proposed improvement projects that will be financed by the district, an estimate of the costs for the proposed improvement projects, and the means of financing costs related to the planning, design, construction, and improvement of the proposed improvement projects.*

**Sec. 3946.002. PRECONDITION; EXPIRATION.** (a) *The district may not exercise any powers under this chapter until the development agreement and finance plan are executed.*